

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
)
 Applicant,)
)
v.)
)
DOLGENCORP,)
)
 Respondent.)

**CIVIL ACTION NO.
1:07-cv-06672**

MOTION TO STAY MAGISTRATE JUDGE’S ORDER

Respondent Dolgencorp, Inc. (“Dolgencorp”) moves this Court to stay Magistrate Judge Schenkier’s February 12, 2008 order granting the Equal Employment Opportunity Commission’s (“EEOC”) application to enforce an administrative subpoena.

Good cause exists for this motion. The EEOC instituted this action seeking enforcement of an administrative subpoena it served on Dolgencorp, Inc. Chief Judge James F. Holderman referred the matter to Magistrate Schenkier. On February 12, 2008, Magistrate Schenkier granted the relief sought by the EEOC and enforced a revised version of the subpoena.

Magistrate Schenkier’s order is dispositive of the entire matter before the Court. As such, it must be treated as a report and recommendation, which does not become effective until a final order is entered by the District Judge.

Thus, Dolgencorp requests that the Court stay Magistrate Schenkier's order until Dolgencorp has had an opportunity to file objections, as permitted by 28 U.S.C. § 636(b)(1), and the district court has entered a final order in this matter.

Counsel for Respondent has consulted with the EEOC, and the EEOC opposes this motion.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of February, 2008, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

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